

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

ARTOSKA GILLISPIE,

Petitioner,

v.

CINDY GRIFFITH,

Respondent.

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Case No. 4:14-CV-257 NAB

MEMORANDUM AND ORDER

This closed matter is before the Court on Petitioner's "Objectionss [sic] to Magistrate's Memorandum and Order and/or Report and Recommendation." [Doc. 18.] The parties consented to the jurisdiction of the undersigned United States Magistrate Judge on March 17, 2014. [Doc. 5.]

On March 29, 2017 the Court dismissed Petitioner's petition for writ of habeas corpus. [Docs. 16, 17.] The case is now closed. Generally, a party who has validly consented to proceed before a magistrate judge pursuant to 28 U.S.C. § 636(c) has waived the right to proceed before a district court judge. *United States v. Neville*, 985 F.2d 992, 1000 (9th Cir. 1993). Because the parties have consented to the undersigned's jurisdiction, there is no opportunity to file objections to the Court's orders. *See Finley v. Nixon*, No. 4:06-CV-1013 TIA, 2012 WL 27931 at *1 (E.D. Mo. Jan. 5, 2012) (denial of motion for district court review of magistrate judge order in habeas case where both parties consented to court's jurisdiction pursuant to 28 U.S.C. § 636(c)); *Boyd v. Moore*, No. 4:04-CV-1791 AGF, 2008 WL 5412267 at *1 (E.D. Mo. Dec. 24, 2008) (same).

This case is not a case referred from a district court judge to a magistrate judge, where the magistrate judge rules on non-dispositive motions and prepares a report and recommendation to the district court pursuant to 28 U.S.C. § 636(b). This case was originally assigned to the undersigned by random assignment pursuant to Local Rule 2.08. E.D.Mo. L.R. 2.08. Both parties consented to the

Court's jurisdiction, pursuant to 28 U.S.C. § 636(c), and have therefore waived the right to appear before a district court judge or file any objections to this Court's rulings prior to final judgment. Petitioner should refer to the correspondence from the Court regarding procedures for filing an appeal, sent contemporaneously with this Order, to proceed in any further action regarding this case.

Accordingly,

IT IS HEREBY ORDERED that Petitioner's "Objectionss [sic] to Magistrate's Memorandum and Order and/or Report and Recommendation" is **DENIED**. [Doc. 18.]

IT IS FURTHER ORDERED that the Clerk of Court shall provide Petitioner with a copy of the docket sheet in this case and a copy of the consents filed by the parties. [Doc. 13.]

Dated this 24th day of April, 2017.

/s/ Nannette A. Baker
NANNETTE A. BAKER
UNITED STATES MAGISTRATE JUDGE